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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES W. McCALL and JAY M.
LAPINE,

Defendants.

Case No.: CR-00-0505-WHA

**STIPULATION AND [PROPOSED]
ORDER RE: JANUARY 20, 2009
STATUS CONFERENCE**

The Honorable William H. Alsup
Date: January 20, 2009
Time: 2:00 p.m.

1 The United States and defendants Charles W. McCall and Jay M. Lapine
2 (collectively, "Defendants"), through their respective counsel, stipulate and agree as
3 follows:

4 **RECITALS**

5 1. On September 24, 2008, the Court scheduled a status conference in this matter
6 for January 20, 2009 at 2:00 p.m.

7 2. As set forth more fully in the attached Joint Status Conference Statement, the
8 parties anticipate that the setting of a trial date and other pretrial logistics will be the
9 primary topics discussed at the January 20, 2009 status conference.

10 3. With the Court's permission, the appearances of Defendants are waived for
11 the January 20, 2009 status conference.

12 **STIPULATION**

13 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that, with
14 the Court's permission, the appearances of Defendants are waived for the January 20, 2009
15 status conference.

16 IT IS SO STIPULATED AND AGREED.

17
18 DATED: January 13, 2009

UNITED STATES OF AMERICA

19 By /s/ Timothy P. Crudo

20 Timothy P. Crudo
21 Office of the United States Attorney
22 450 Golden Gate Avenue
23 Eleventh Floor
24 San Francisco, CA 94102
25 (415) 436-7200
26 (415) 436-7234 FAX

27 Attorneys for the United States
28

1 DATED: January 13, 2009

2 PAUL, WEISS, RIFKIND, WHARTON &
3 GARRISON LLP

4 By /s/ Theodore V. Wells, Jr.

5 Theodore V. Wells, Jr.
6 Paul, Weiss, Rifkind, Wharton & Garrison LLP
7 1285 Avenue of the Americas
8 New York, NY 10019-6064

9 HOGAN & HARTSON LLP

10 By /s/ Michael J. Shepard

11 Michael J. Shepard
12 Hogan & Hartson LLP
13 4 Embarcadero Center, 22nd Floor
14 San Francisco, CA 94111

15 Attorneys for Defendant
16 CHARLES W. McCALL

17 DATED: January 13, 2009

18 KASOWITZ BENSON TORRES & FRIEDMAN LLP

19 By /s/ Marcus S. Topel

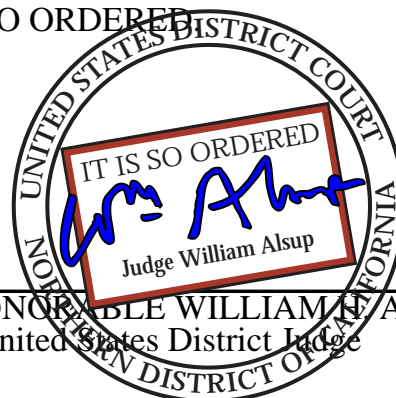
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26 Attorneys for Defendant
27 JAY M. LAPINE

28 I, Michael J. Shepard, attest that Timothy P. Crudo, Theodore V. Wells, Jr. and
Marcus S. Topel have read and approved the STIPULATION AND [PROPOSED] ORDER
RE: JANUARY 20, 2009 STATUS CONFERENCE and consent to its filing in this action.

Pursuant to the foregoing stipulation, IT IS SO ORDERED.

DATED: January 15, 2009



THE HONORABLE WILLIAM M. ALSUP
United States District Judge